

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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Procuring Architectural, Engineering, and Related Professional Services

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I. Purpose

To establish the policy for Qualifications-Based Selection and contracting for architectural, landscape architectural, engineering, environmental, land surveying, construction project management, and related professional services.

II. Background

Sections 4525 through 4529.5 of the Government Code (Mini-Brooks Act) govern contracts between public entities and private architectural, landscape architectural, engineering, environmental, land surveying, and construction project management firms. These statutes establish a Qualifications-Based Selection (QBS) method that public agencies in California must use to contract for professional services. This method requires that such services be engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at a fair and reasonable price. Accordingly, public agencies may not utilize competitive bidding for such services, except in the limited instances where the State or local agency head determines that the services needed are more of a technical nature and involve little professional judgment and that requiring bids would be in the public interest. (Gov. Code §4529.) In addition, the procedures adopted to implement the Mini-Brooks Act must assure maximum participation of small business firms as defined in Government Code section 14837.

III. Definitions

- A. Administering Department: Any County department listed under CAO Reference at the end of this policy, and any other County department that the Board of Supervisors may authorize from time-to-time to contract with consultants to obtain Professional Services to fulfill its designated functions.
- B. Professional Services: Those professional services set forth in Government Code §4525, subdivisions (d), (e), and (f), including architectural, landscape architectural, engineering, environmental, land surveying and construction project management services, and services incidental thereto that members of these professions and those in their employ may logically or justifiably perform.

IV. Policy

It is the policy of the Board of Supervisors that:

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When the Director of an Administering Department determines that the department needs Professional Services, the County of San Diego shall contract for such services in accordance with this policy and with the guidelines promulgated by the Department of Purchasing and Contracting.

The County's Professional Services contracting procedures shall comply with all mandatory provisions of the Mini-Brooks Act and those discretionary provisions set forth in the Department of Purchasing and Contracting guidelines implementing this policy.

In addition to this policy, the procurement of Professional Services shall be in accordance with Section 401 of the San Diego County Code of Administrative Ordinances. This policy, the guidelines promulgated by the Department of Purchasing and Contracting, and the procedures adopted by Administering Departments hereunder, shall further assure that the goals of Board Policy B-39a, "Disabled Veterans Business Enterprise Program", and Board Policy B-53, "Small Business Policy (SBP)", are considered in selection processes described in this policy.

The County may enter into cooperative agreements with the City of San Diego (City) and other agencies with established procedures, whereby the County, City, and other signatory agencies to the cooperative agreement may jointly formulate and use lists of qualified consultants to provide Professional Services.

If any discretionary provision of this policy conflicts with any federal or State grant requirements, the provisions of the federal or State grant shall prevail.

V. Responsibility

The Department of Purchasing and Contracting shall promulgate and maintain guidelines implementing this policy.

The Chief Administrative Officer with the support of the Department of Purchasing and Contracting shall ensure compliance with this policy.

Sunset Date

This policy will be reviewed for continuance by 12-31-2018.

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10-7-97 (27)

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02-27-07 (9)

12-09-08 (33)

09-25-12 (11)

12-04-12 (13)

CAO Reference

1. Department of General Services
2. Department of Environmental Health
3. Department of Parks and Recreation
4. Department of Planning and Development Services
5. Department of Public Works
6. Department of Purchasing and Contracting